



County of Los Angeles
CHIEF ADMINISTRATIVE OFFICE

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DAVID E. JANSSEN
Chief Administrative Officer

Board of Supervisors
GLORIA MOLINA
First District

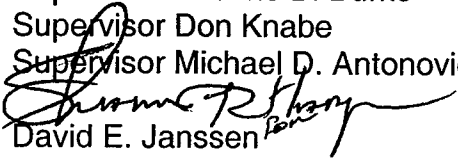
YVONNE B. BURKE
Second District

ZEV YAROSLAVSKY
Third District

DON KNABE
Fourth District

MICHAEL D. ANTONOVICH
Fifth District

June 6, 2007

To: Supervisor Zev Yaroslavsky, Chairman
Supervisor Gloria Molina
Supervisor Yvonne B. Burke
Supervisor Don Knabe
Supervisor Michael D. Antonovich
From: 
David E. Janssen
Chief Administrative Officer

SACRAMENTO UPDATE

Pursuit of County Position on Legislation

County-opposed AB 70 (Jones), which would have shifted a portion of the State's liability for flood damage onto counties and cities to the extent a county or city increased the State's liability by approving development in undeveloped areas protected by State flood control projects, was substantially amended on June 4, 2007.

As amended, AB 70 provides that a city or county may be required to contribute its fair and reasonable share for property damage caused by a flood if all of the following five circumstances exist: 1) a court finds the city's or county's actions increased the State's exposure to liability for property damage; 2) the increased liability exposure was a result of the city or county "unreasonably" approving a new development; 3) the new development was approved in an undeveloped area; 4) the undeveloped area was protected by a State flood control project (meaning State flood control works within the Sacramento River Flood Control Project and flood control projects within the Sacramento River and San Joaquin River watersheds) that was not already designated for development; and 5) the trier of fact determines that the city or county failed to comply with applicable duties and requirements set forth in existing law.

The Department of Public Works (DPW) and County Counsel have reviewed the amended version of AB 70 and indicate that the latest version responds to most of their previous concerns. County Counsel indicates that they are no longer concerned that the bill could have a precedent setting effect negatively impacting the County and that it is highly unlikely that the bill would ever be made applicable to the County should a court case arise regarding this issue. However, County Counsel indicates that there are some technical changes that could be made to the bill to further clarify the intent and application of the bill, and will be working with legislative staff towards that end. **Because the County is no longer concerned about the precedent setting effect of the bill, we will drop our opposition to AB 70 and take no position.** This measure passed off the Assembly Floor on June 6, 2007 and will go to Senate Rules for assignment to a Policy Committee.

County-opposed, unless amended AB 81 (Torrico) was amended on May 31, 2007 to delete the \$5.0 million appropriation to conduct a statewide campaign to publicize the existence of safe surrender sites. The bill retains the provision to raise the age at which an infant can be safely surrendered from 72 hours of age to 30 days of age or younger. Consistent with the County's opposition to AB 1873 (Torrico) in the last legislative session, and existing policy to oppose proposals that would increase the time allowed to safely surrender an infant, **our Sacramento advocates will continue to oppose AB 81.**

AB 81 is supported by the American College of Obstetrics and Gynecologists, California District 9, the American Federation of State, City and Municipal Employees, the California Catholic Conference, the California Fire Chiefs, the Association of California Professional Firefighters, the California PTA, the California Public Defenders Association, the City of Moreno Valley, the Fire Districts Association of California, the League of California Cities, the California Chapter of the National Association of Social Workers, Professor Michelle Oberman, Santa Clara University, School of Law and the Peace Officers Research Association.

The bill is opposed by Bastard Nation, the Bay Area Birthmothers Association, California Open, California Right to Life Committee, the California State Association of Counties, the County Welfare Directors Association of California, the Los Angeles District Attorney's Office, and the Los Angeles Community Child Abuse Councils Coordination Project.

AB 81 passed the Assembly Appropriations Committee suspense file on May 31, 2007 by a 12 to 5 vote, and it now proceeds to the Assembly Floor.

Status of County-Advocacy Legislation

County-supported AB 97 (Mendoza), which would limit the use of trans fat by retail food facilities, passed the Assembly Appropriations Committee's suspense file with amendments on May 31, 2007 by a 12 to 5 vote, and it now proceeds to the Assembly Floor. The amendments would exempt public schools.

County-supported AB 98 (Niello), which would require the State to pay 50 percent of the wage subsidies for CalWORKs participants engaged in subsidized employment, passed the Assembly Floor on June 5, 2007 by a vote of 78 to 0, and it now proceeds to the Senate.

County-supported AB 119 (Price), which would require that the State pay for special elections proclaimed by the Governor to fill vacancies in the Congress and the Legislature, was approved by the Assembly Floor on Monday, June 4, 2007 by a vote of 79 to 0. As an urgency measure, AB 119 would be effective immediately upon signature by the Governor. The bill now proceeds to the Senate, where it is expected to be heard in the Committee on Elections, Reapportionment and Constitutional Amendments.

County-opposed AB 166 (Bass), which would establish a presumption of job-related causation for public safety employees who develop methicillin resistant staphylococcus (MSRA), was held on the Assembly Appropriations Committee's suspense file on May 31, 2007.

County-supported AB 184 (Bass), which would appropriate \$3.0 million from the State General Fund to provide Independent Living Program services to qualified former foster youth who meet specified criteria, passed the Assembly Appropriations Committee suspense file on May 31, 2007 by a 13 to 4 vote, and it now proceeds to the Assembly Floor.

County-supported AB 308 (Galgiani), which would require the State Department of Mental Health to adopt regulations to provide for the prompt reimbursement of Medi-Cal claims to counties for services under the Early and Periodic Screening, Diagnosis, and Treatment (EPSDT) Program, and appropriate \$243 million to reimburse counties for prior year EPSDT claims, passed the Assembly Appropriations Committee's suspense file with amendments on May 31, 2007 by a 13 to 3 vote. The amendments delete the language that appropriates \$243 million to reimburse prior year claims. AB 308 now proceeds to the Assembly Floor for consideration.

County-supported AB 335 (de León), which would allow victims of domestic violence requesting CalWORKs Homeless Assistance to provide a sworn statement in lieu of a third-party documentation to verify that their homelessness is directly related to domestic violence, passed the Assembly Floor on June 4, 2007 by a vote of 71 to 6, and it now proceeds to the Senate.

County-supported AB 340 (Hancock), which would establish the Unified Resource Families Assessment Pilot Project in five volunteer counties, passed the Assembly on June 4, 2007 by a 78 to 0 vote, and it now proceeds to the Senate.

County-opposed AB 419 (Lieber), which would authorize additional safety employees to receive up to a one-year leave of absence with full pay for job related injuries under Labor Code Section 4850, passed the Assembly Floor on June 4, 2007 by a vote of 46 to 30, and now proceeds to the Senate.

County-opposed AB 503 (Swanson) which would require a prior written notification of eight hours before a public employee could be required to work overtime, was amended and approved by the Assembly Appropriations Committee on May 31, 2007, on a party-line vote, with Democrats voting "AYE" and Republicans voting "NO". The amendments deleted the existing contents of AB 503 and made the issue a subject of study. This measure now proceeds to the Assembly Floor. **Because this is now a study bill, the County will drop its opposition to AB 503,**

County-supported AB 671 (Beall), which would require the State Personnel Board to establish an Emancipated Foster Youth Program to provide State employment opportunities for qualified foster youth or former foster youth, passed the Assembly Floor on June 4, 2007 by a 79 to 0 vote, and it now proceeds to the Senate.

County-supported AB 752 (Dymally), which would establish a mechanism to distribute stabilization funds among the public hospital system in the third and fifth years of the Hospital Financing Waiver, passed the Assembly on June 4, 2007 by a 79 to 0 vote, and it now proceeds to the Senate.

County-supported AB 820 (Karnette), which would prohibit, starting January 1, 2009, all State facilities from selling, possessing or distributing expanded polystyrene food containers subject to specified conditions, was placed on the Assembly Appropriations suspense file on May 31, 2007.

County co-sponsored AB 1062 (Ma), which would require the California Department of Social Services to establish a statewide work-support rental subsidy pilot program,

passed the Assembly Appropriations Committee suspense file, with amendments to reduce the time-limited rental subsidy from 12 months to 6 months on May 31, 2007 by a vote of 17 to 0. AB 1062 passed the Assembly Floor on June 5, 2007 by a vote of 77 to 0, and it now proceeds to the Senate.

County-supported AB 1382 (Leno), which would eliminate the fingerprint imaging requirement for Food Stamp-only applicants and maintain the requirement for the CalWORKs and Food Stamp with General Relief applicants, passed the Assembly Appropriations Committee suspense file on May 31, 2007 by a vote of 11 to 6, and it now proceeds to the Assembly Floor.

County-supported SB 119 (Cedillo), which would increase the scope of benefits and reimbursement rates in Drug Medi-Cal for youth ages 12 to 20 who are suffering from substance abuse disorders, passed the Senate Floor on June 4, 2007 by a 26 to 13 vote, and it now proceeds to the Assembly.

County-supported SB 120 (Padilla), which would require that all chain restaurants in California with ten or more outlets to provide nutritional information that includes the total number of calories, grams of saturated and trans fats, and milligrams of sodium for each standard menu item, passed the Senate Floor on May 31, 2007 by a vote of 22 to 17, and it now proceeds to the Assembly.

County-supported SB 208 (Runner), which would prohibit the State from assessing or collecting licensing fees from any county for the operation of a State-licensed correctional treatment center, remains on the Senate Appropriations Committee's suspense file.

County-supported SB 286 (Lowenthal and Dutton), which would require that the bond funds from Proposition 1B for local streets and roads be allocated by the State Controller in two cycles that cover four years, with the first cycle of payments to be made to eligible local agencies not later than January 1, 2008, and the second round to be made not later than January 1, 2010, and require at least half of each eligible local agency's total allocation amount be made during the first cycle, passed the Senate Appropriations Committee on May 31, 2007, as amended, by a vote of 16 to 0, and it now proceeds to the Senate Floor. SB 286 requires all funds to be spent within three years from the date of allocation and contains an urgency clause.

County-opposed SB 352 (Padilla), which would exempt public safety employees from the statutory workers' compensation limit of 24 visits per injury for chiropractic,

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occupational therapy and physical therapy, was held on the Senate Appropriations Committee suspense file on May 31, 2007.

County-sponsored SB 767 (Ridley-Thomas), which would provide licensed health care professionals with immunity from civil and criminal liability for prescribing, dispensing, or distributing an opioid antagonist, passed the Senate Floor on May 31, 2007 by a vote of 39 to 0, and it now proceeds to the Assembly.

County-sponsored SB 856 (Runner), which would allow Los Angeles County to install customized street name signs that better portray the city/community in unincorporated areas of the County, was placed on the Senate Appropriations Committee's suspense file on May 31, 2007.

County-opposed SB 936 (Perata), revising the workers' compensation disability rating schedule in three steps, with the effect of doubling the number of weeks of benefits eligibility, was approved by the Senate on Monday, June 4, 2007 by a vote of 24 to 14. The bill now proceeds to the Assembly Floor where it is expected to be referred to the Committee on Insurance.

We will continue to keep you advised.

DEJ:GK
MAL:IGR:acn

c: All Department Heads
Legislative Strategist
Local 660
Coalition of County Unions
California Contract Cities Association
Independent Cities Association
League of California Cities
City Managers Associations
Buddy Program Participants